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FEDERAL COMMUNICATIONS COMMISSION
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ORIGINAL

October 3, 2000

Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C., 20554

Ex Parte

Re: WT Docket No. 99-87

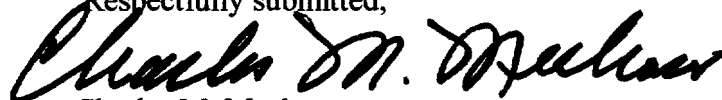
Dear Ms. Salas:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, this is to notify you that Peter Thomas, Vice President AEP Communications, LLC, Sandra K Williams, Esq., Legal Department, AEP Communications, LLC and Charles M. Meehan, representing AEP Communications, LLC, met today with Mark Schneider, Senior Legal Advisor for Commissioner Ness, and Peter Tenhula, Legal Advisor for Commissioner Powell..

The purpose of the meetings was to discuss why the Commission should remove the restrictions found in Sections 90.617 and 90. 619 of the Rules which prohibit the use of Business, Industrial and Land Transportation (BILT) 800 MHz private frequencies for commercial operations. Also discussed was the need to define these BILT licenses by economic area. Attached is a memorandum summarizing the matters discussed.

Should any questions arise concerning this matter, please contact the undersigned counsel.

Respectfully submitted,



Charles M. Meehan

Counsel for AEP Communications. LLC

CC: Mark Schneider
Peter Tenhula

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**Summary of AEP Communications Ex Parte Presentation in WT Docket No. 99-87
October 3, 2000**

1. AEP Communications, LLC, (AEPC) is an Exempt Telecommunications Company subsidiary of the American Electric Power Company (AEP). AEP is a public utility company serving 4.5 million customers in Indiana, Kentucky, Michigan, Ohio, Tennessee, Virginia, West Virginia, Texas, Louisiana, Oklahoma and Arkansas. AEP operates an 800 MHz system throughout these states.
2. AEPC urges that the Federal Communications Commission use the opportunity it has in WT Docket No. 99-87 to remove the restrictions found in Sections 90.617 and 90.619 of its Rules which prohibit the use of Business, Industrial and Land Transportation (BILT) 800 MHz private frequencies for commercial operations. This will allow BILT private licensees to use their systems to provide advanced commercial service and still meet their internal needs. AEPC also requests that the option of defining licenses by economic area, rather than sites, be extended to all BILT licensees that use their systems for commercial and internal operations. This will provide them with maximum flexibility in ensuring service level quality, ubiquitous coverage and regulatory parity with similarly situated 800 MHz wide area commercial licensees.
3. One of the Commission's stated goals is to increase competition for advanced services. BILT commercial operations restrictions prohibit 800 MHz licensees from providing advanced digital technology service using their 800 MHz private systems. The ability of 800 MHz licensees to provide such commercial service would bring new, strong competitors into the commercial mobile market and provide additional enhanced service to customers that may not have a choice of providers for such service, especially in Tier 2 and 3 cities. In fact, with these restrictions removed, AEPC envisions that utilities with adjacent operating areas could interconnect their networks to tie together their 800 MHz systems and provide service over enhanced, multi-utility operating areas.
4. These BILT restrictions also pose a barrier to the implementation of any Secondary Frequency Market by eliminating BILT spectrum licensees who want to provide both commercial and private service. The Commission's May 31, 2000 Forum, which examined such a Market, explored policies and rules that would allow a secondary market for spectrum so that it flows freely in the market place. From presentations made at the Forum, it is clear that the BILT restrictions prevent the free flow of spectrum and should be removed.

